

**REMARKS**

The present invention is a method for handling messages transmitted between communication terminals via a wireless network, a communication terminal for handling messages and a message format including a text part and at least one graphical part. A communication terminal for handling messages in accordance with an embodiment of the invention includes a controller 18, a transceiver 19 for communicating with a wireless network, and a user interface 2, 3, 10 and 13 through which the user operates the terminal, the user interface including a display 3, and message editor application 114 allowing user to generate a compound message including a text part 111 and at least one graphic icon part 112; the controller generating the compound message for being transmitted via the transceiver including a text part in a predefined message text character format, the graphical part including a record for each of the at least one graphical part in a graphical format and information in the message defining a position of the at least one graphical part in the text part.

Claims 1 and 11 stand rejected under 35 U.S.C. §102 as being anticipated by WO 97/19429 (Deluca, et al.) with respect to claim 1 the Examiner reasons as follows:

As per claim 1, Deluca teaches a method for handling messages transmitted between communication terminals via a wireless network, characterized by

generating a compound message including a text plan and at least one graphical icon part (see page 5, lines 13-14);

said compound message generation includes:  
reading of a user inputted text part and converting the inputted text into a predefined message text format (see page 5, lines 13-21);

adding a graphical part to the message, said graphical part includes a record for each of said at least one

graphical icon part in a graphical format (see page 4, lines 8-25);

addition information in the message defining the position of said at least one graphical icon part in the text part (see page 5, lines 5-12 and page 6, lines 20-26); and transmission of the message via the wireless network (see page 7, line 33 - page 8, line 2).

These grounds of rejection are traversed for the following reasons.

Deluca et al. differ from claims 15 and 25, which correspond to claims 1 and 11 in an unobvious manner. Each of claims 15 and 25 substantively recites the compound message includes a text part in a predefined message text format, a graphical part which is added to the message with a graphical part including a record of each of the at least one graphical icon part in a graphical format, and adding information in the message defining a position of the at least one graphical icon part in the text part. Deluca et al. transmit predefined codes as illustrated in Figure 2 which are stored in a graphics database 155.

As may be seen, each of the numeric codes encodes a graphical image.

Messages are formulated by selecting for transmission numeric codes indicating a particular graphical message which is to be added to a text message to produce the composite graphical and text message illustrated in Figure 8.

This subject matter differs principally from the subject matter of independent claims 15 and 25 in that there is no at least one graphical icon part in a graphical format and there is no information in the message defining a position of the at least one graphical icon part in the text part. As explained above, the numerical encoding utilized for encoding the graphical images in Deluca et al. is not in a graphical format.

Furthermore there is no position information disclosed in Deluca et al.

It is noted that the Examiner refers to page 5, lines 5-12 and page 6, lines 20-26 of Deluca et al. for a teaching of position information. However, it is submitted that neither portion of Deluca et al. discloses the claimed position information. If the Examiner persists in the stated grounds of rejection it is requested that he point out how the aforementioned portions of Deluca et al. correspond to the claimed position information which is recited in newly submitted claims 15 and 25.

Claims 2 and 5-10 stand rejected under 35 U.S.C. §103 as being unpatentable over United States Patent 6,032,025 (Sugio, et al.) in view of United States Patent 5,828,313 (Mochizuki). With respect to independent claim 2 the Examiners reasons as follows:

As per claim 2, Sugio teaches a communication terminal for handling messages and having a controller, a transceiver for communicating with a wireless communication network, and a user interface through which the user operates the terminal, said user interface includes a display (see Sugio, column 2, lines 30-50), characterized by that said communication terminal furthermore comprises:

a message editor application by means of which the user is allowed to generate a compound message including a text part and at least one graphical icon part (see Sugio, column 2, lines 30-42 and column 7, lines 29-60);

said controller generates a message for being transmitted via said transceiver (see Sugio, column 2, lines 34-36), said message includes:

a text part in a predefined message text character format (see Sugio, column 7 lines 41-42), and

a graphical part including a record for each of said at least one graphical icon part in a graphical format (see Sugio, column 7, line 37).

Sugio does not teach information in the message defining the position of said at least one graphical icon part in the text part. Mochizuki teaches information in the message defining the position of said at least one graphical icon part in the text part (see Mochizuki, Column 2, lines 40 - 47). It would have been obvious to one of ordinary skill in

the art at the time of the invention to incorporate the method of Mochizuki with the method of Sugio in order to allow more user control over used screen space.

These grounds of rejection are traversed for the following reasons.

Sugio et al. disclose a communication terminal and communication system in which messages are compiled by choosing numeric codes encoding messages within a standard message table as illustrated in Figure 3 and encoding portrait images as illustrated in Figure 4. The numeric codes which respectively encode the standard messages in Figure 3 and the portrait images in Figure 4 are selected and combined together to transmit in a compressed manner the desired message to be displayed by the receiver.

See column 6, lines 27-34.

Independent claim 16, which corresponds to claim 2, recites inter alia the controller generates the compound message for being transmitted via the transceiver including a text part in a predefined message text character format, a graphical part including a record for each of the at least one graphical icon part in a graphical format and information in the message defining a position of the at least one graphical icon part in the text part. It is submitted that the aforementioned numerical encoding of Sugio et al, which is used to compile a message of standard text parts and graphical parts, does not meet the claimed graphical format as recited in claim 16. In this regard it is noted that the Examiner has indicated that column 7, line 37, discloses the aforementioned subject matter but it is submitted that as described above the images are numerically encoded messages which does not meet the graphical format limitation. Moreover there is no basis why a person of

Moreover, as noted above, neither Sugio et al. or Mochizuki et al. discloses that the message is transmitted in the claimed graphical format. According, if the proposed combination of Sugio et al. and Mochizuki were made the subject matter of claim 16, which corresponds to claim 2, would not be achieved.

Dependent claims 17-24 and 26-28 define more specific aspects of the present invention which are not rendered obvious by the proposed combination of Sugio et al. and Mochizuki.

Newly submitted claims 29-39 correspond to claims 15-25 except that these claims do not recite the icon limitation. Claims 29-37 are patentable for the same reasons set forth above.

To the extent necessary, Applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (Case No. 1030.40493X00) and please credit any excess fees to such deposit account.

Respectfully submitted,



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Attachments